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Attorney for Defendant
FAUSTINO AGUAYO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

—000—

UNITED STATES OF AMERICA,
Plaintiff,

CR. 05-118-MMC

vs.

**STIPULATION TO CONTINUE
STATUS CONFERENCE; ORDER
THEREON**

FAUSTINO AGUAYO, et al.,
Defendants.

Defendant FAUSTINO AGUAYO, by and through his counsel of record
Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree
that the status conference presently set for Wednesday, December 6, 2006, be continued
until Wednesday, January 17, 2007, at 2:30 p.m.

Counsel met with Assistant United States Attorney Dave Hall on November 8,
2006, to discuss a global resolution of this case. Each attorney present, with the
exception of Chris Cannon and Steve Gruel, who met with Mr. Hall on a subsequent date,
received proposed dispositions. It was the consensus of all counsel that a continuance
was necessary so that we could each have time to discuss this matter with our clients.

The time period from December 6, 2006 to January 17, 2007 would be deemed excludable pursuant to 18 U.S.C. § 3161(h)(8)(A), given that the ends of justice served by granting a continuance outweigh the best interests of the public and of the defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. § 3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, the fact that wiretaps were involved, it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial within the time limits established by the Speedy Trial Act.

Date: November 24, 2006


/s/ Randy Sue Pollock
 RANDY SUE POLLOCK
 Counsel for Defendant
 FAUSTINO AGUAYO
 On Behalf Of All Defendants

Date: November 24, 2006

/s/David Hall
 DAVID HALL
 Assistant United States Attorney

SO ORDERED:

November 27, 2006


 MAXINE M. CHESNEY
 United States District Court Judge